

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>5/23/05</u>		2 Serial/Patent # <u>10714183</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
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2253 1252	Extension of Time		04/11/05 05/11/05	\$ 510 250								
	Notice of Appeal/Appeal			\$								
2454	Petition		05/11/05	\$ 240								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
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7 TOTAL AMOUNT OF REFUND			\$ 1000 -									
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Overpayment		<input checked="" type="checkbox"/> Treasury Check <i>and CC</i>										
X	Duplicate Payment 2454	Credit Deposit A/C #:										
X	No Fee Due (Explanation):	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>										
2253, 1252 POT FEES SUBMITTED AFTER ABANDONMENT												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>D WOOD</u>		TITLE: <u>SR ATTY</u>										
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OFFICE: <u>SR ATTY OP</u>												
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APPROVED: <u><i>A Kell</i></u>		DATE: <u>5/24/05</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Attorney Docket No.: TSAK001US1

10/174.183

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Delbert Tesar  
Serial No. 10/714,183  
Filing Date: November 14, 2003  
Group Art Unit: 3681  
Examiner: Pang, Roger L.  
Title: STANDARDIZED ROTARY ACTUATOR

FILE COPY

Mail Stop: Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Certification Under 37 C.F.R. 1.8

Date of Mailing: May 9, 2005

I hereby certify that I have caused the documents indicated below to be deposited with the United States Postal under 37 CFR § 1.8 on the date indicated above and addressed to the Mail Stop: Office of Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lee Ann Carter

## CORRECTED SIGNATURE LINE

## PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT

## UNAVOIDABLY ABANDONED UNDER 37 CFR §1.137(a)

Dear Sir:

Applicant hereby petitions for revival of this application. The above-identified application became abandoned for failure to pay fees associated with the filing of an Amendment on January 12, 2005.

Applicant requested his former law firm to transfer the above-referenced patent application to this law firm for further prosecution. Upon receipt of the file, Applicant immediately responded to an outstanding Office Action mailed July 12, 2004 that was due on or before January 12, 2005. Applicant submitted a response to the Amendment, updated drawings, a PTO Credit Card Form and a postcard to be filed. However, this law firm was informed on April 6, 2005 in a telephone conversation with the U.S. Patent and Trademark Office that this patent application was abandoned for failure to pay fees associated with the filing of the Amendment. Applicant, however, does not have a copy of that Notice of Abandonment to enclose with this Petition.

05/12/2005 PROCEEDING 183  
01 FC:2452  
02 FC:1252250.00 OP  
240.00 OP

Attorney Docket No.: TSAR001US1

10/174,183

Applicant respectfully submits that the Amendment was filed with a Credit Card Form instructing the U.S. Patent and Trademark Office to charge the fees for a three-month extension of time to reply that was due and owing to the credit card that was listed on the form. Applicant hereby submits a copy of the Credit Card Form and postcard that were filed with said Amendment.

Applicant hereby submits a check to cover the cost of the Amendment and respectfully requests this Office to revive the above-referenced application. Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required. The petition fee for a small entity, according to 37 CFR §1.17(l), of \$250.00 is also enclosed.

If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below. When contacting the undersigned, please reference Attorney Docket No. TSAR001US1.

Respectfully submitted,

By: 

William N. Hulsey III  
Reg. No. 33,402

Dated: May 9, 2005

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